

EXHIBIT C

KNULL P.C.

tel. 646-233-1376

Fax 303-379-5604

chk@knnullpc.com

www.knullpc.com

305 Broadway, 7th Fl.
New York, NY 10007

November 16, 2022

Gordon Troy, Esq.
P.O. Box 67
Windsor, VT 05089

Re: Richtone v. Kelly, SDNY, 22-cv-1606 (KMK-AEK)

Dear Gordon:

This is in response to your email of November 14, 2022 ("the Email") and the letter of November 16, 2022 ("the Letter") requesting a meet and confer regarding your alleged "need to compel Plaintiff to provide answers to the RFAs that comply with the Federal Rules."

Your email related to over 80 RFA's without any attempt to identify with particularity each objectionable response and how it failed to comply with the Federal Rules. When we have dealt with discovery disputes in the past, the parties have always exchanged laundry lists of what and why responses were allegedly inadequate. Other than your specific objections to our specific responses to RFA Nos. 56, 57, 58 and 59 ("RFA's 56-59"), we have no idea what your problems are and it would be a waste of time to try to resolve issues regarding over 80 unspecified RFA's by a phone call! As such, we look forward to providing us with a list of the disputed responses to specific RFA's and their alleged deficiency as the basis for any meet and confer discussion. However, as we believe that few of the Requests relate to anything other than the Third Counterclaim we question the need for this meet and confer and certainly any motion to compel at this time. There is a conference on November 29.

With respect to your specific objections to our responses to RFA's 56-59, this came about from our confusion caused by our renumbering in red of RICHTONE 000985-001293 because you complained about the legibility of the original production of RICHTONE 000985-001293. As we continued to reference the original Bates numbered documents produced, the references in RFA Nos. 56, 57, 58 and 59 ("the RFAs") were incomprehensible, as the actual RICHTONE 001461-001601 subsequently produced were the documents that we referred to in the response (see attached). Had you referred to the Collection, or Deposit Copy, or something that might have hinted more at what you meant, this issue would have been figured out well before now.

I have sent you a new renumbered set with red Bates numbers 000985 -001293, and later I will send amended responses that clearly relate to the Collection.

As I will be dealing with a medical issue for the next few weeks, please direct further correspondence to Romeo Salta and copy me.

Sincerely,

/Charles Knull/

cc: Romeo J. Salta, Esq.

attachments

THE PILATES METHOD OF PHYSICAL AND MENTAL CONDITIONING

Level BASICS (Memorize/Do It, Exam, Modify, Therapeutic)

1. FOOTWORK(4)

Position/Movement --

Problem: Areas - Adjustment

Shoulders - pressure, use shoulder pads
Knees - not able to bend much
 - hyperextension
 - rolling in on tendon stretch
 - bowed legs
Achilles - watch on tendon stretch
 tendon
Pigeon Toes
Spring Weight

2. HUNDRED

Position/Movement --

Problem: Areas - Adjustment

Back - if legs too low, ribs up
Neck - too much tension
Shoulders - pressure from arms
Nausea - liver, gall bladder - stop
Dizziness

3. *STOMACH MASSAGE

Position/Movement --

Problem: Areas - Adjustment

Back - overstretch
Tail Bone - too much pressure
Knees - hyperextension
 - may not bend all the way in
Achilles
 Tendon
Pidgeon Toes
Internal
 Organs - hemmorrhoids, stop.

1 Hom

2 Q What you said in this paragraph is
3 that you authorized Steve Giordano to operate an
4 exercise studio at SUNY Purchase. Do you recall
5 doing that?

6 A No.

7 Q Do you recall terminating his
8 authorization?

9 A Yes.

10 Q Do you remember why you terminated
11 it?

12 A That he was not running it properly.
13 Using the name properly. He was advertising on his
14 own behalf for his greed and his own opportunities.

15 Q Specifically do you remember anything
16 that he was doing?

17 A Well, he collected money and spent it
18 for himself and not giving it back to the school.

19 Q "The school" meaning SUNY Purchase?

20 A Purchase, right.

21 Q What kind of money did he collect?

22 A I have no idea.

23 Q So do you know he collected money for
24 a fact or is this something that you heard from
25 somebody else?